



**International Mobile Satellite Organization**

**ADVISORY COMMITTEE**

Nineteenth Session

4 – 5 July 2007

**Agenda item 3**

IMSO/AC/19/3

Origin: Director

Date: 20 June 2007

**OUTSTANDING MATTERS ARISING FROM THE EIGHTEENTH AND  
NINETEENTH (EXTRAORDINARY) SESSIONS OF THE IMSO ASSEMBLY**

<b><i>Executive Summary:</i></b>	this document sets out matters arising for the Committee from the Eighteenth and Nineteenth (Extraordinary) Sessions of the IMSO Assembly
<b><i>Action to be taken:</i></b>	to note the matters arising and to agree with the actions proposed thereon
<b><i>Related documents:</i></b>	AC/19/8.2 – Work Programme for the Committee.

The Eighteenth Session of the IMSO Assembly was held from 25 to 29 September 2006 and the Nineteenth (Extraordinary) Session was held on 5 and 6 March 2007. The Records of Decisions adopted at the Sessions were sent to all IMSO Member States on 18 October 2006 and 14 March 2007, respectively.

**1 TERMS OF REFERENCE FOR THE ADVISORY COMMITTEE**

**1.1 Assembly decisions**

Assembly/18 decided that the Terms of Reference of the Advisory Committee should be amended, in the light of decisions taken at the Eighteenth Session of the Assembly, and requested the Committee to propose amendments to the next session of the Assembly.

### 1.2 **Proposed action**

The Director has reviewed the text of the current Terms of Reference for the Committee in the light of discussions at the Assembly, and has made suggested amendments as set out in **Annex I**.

The Director proposes that this document is **not** discussed at this session but that members of the Committee review this document over the next few months with a view to making any proposals for further refinement at the next session of the Committee before submission to the next regular Session of the Assembly in the last quarter of 2008. Further amendments may be needed as issues related to the reference Public Services Agreement and LRIT progress.

The Director also proposes that this matter be included in the work programme for the Committee, as discussed in document AC/19/8.2.

## 2 **PUBLIC SERVICES AGREEMENT**

### 2.1 **Assembly decisions**

Assembly/18 decided that the Director will work in consultation with the Advisory Committee to develop the draft Reference Public Services Agreement to take account of any decisions which may be taken by IMO in respect of evaluation and recognition, for approval by the Assembly.

Assembly/19 noted information provided by the Director that, at its Assembly Session in December 2007, it is expected that the IMO Assembly will adopt the final text of Resolution A.888. The Advisory Committee will then review the text of the reference Public Services Agreement to ensure it is in line with Resolution A.888, which will then be submitted to the IMSO Assembly for approval. Once approved, the reference Public Services Agreement will be used as the basis for Public Service Agreements with all GMDSS providers.

### 2.2 **Background and Proposed action**

At its Thirteenth Session, held in November 2005, the Committee agreed the text of the draft Reference Public Services Agreement. At its Sixteenth Session, held in September 2006, the Committee noted the text of an alternative draft reference PSA which reflected a clear distinction between the evaluation and recognition functions, which may be carried out by or on

behalf of IMO, and the oversight functions. This text was submitted to the Eighteenth Session of the Assembly in September 2006, but was not discussed.

At its eighty-second Session, held in December 2006, the IMO Maritime Safety Committee (MSC) discussed revision of IMO Assembly resolution A.888(21) on *Criteria for the provision of mobile-satellite communication systems in the Global Maritime Distress and Safety System (GMDSS)* and consequential amendments to SOLAS Chapter IV. The MSC decided in principle on revised procedures for evaluating new satellite providers and instructed COMSAR 11 to finalize the resolution, and submit it to MSC 83 with a view to adoption by the twenty-fifth Session of the IMO Assembly in November 2007. Corresponding amendments to SOLAS chapter IV were considered and finalized by COMSAR 11 in February 2007. The MSC authorized the Secretariat to circulate the finalized amendments after COMSAR in accordance with SOLAS article VIII (i) with a view to adoption by MSC 83.

As these amendments have an impact on the text of the draft reference Public Services Agreement, any corresponding amendments will be incorporated by the Director and circulated to the Committee after MSC 83.

The Director also proposes that this matter be included in the work programme for the Committee, as discussed in document AC/19/8.2.

### 3 **RULES OF PROCEDURE FOR THE ASSEMBLY**

#### 3.1 **Assembly decisions**

Assembly/18 decided that, for future Sessions of the Assembly, it was important to ensure regional representation in the election of its officers. Many delegations supported the principle of rotation in the appointment of Chairman and other officers. The Assembly requested the Advisory Committee to discuss and recommend amendments to the Rules of Procedure to cover procedures for the election of Chairman and Vice-Chairmen of the Assembly, Credentials Committee and Advisory Committee, to accomplish this goal. The Assembly also decided that the Rules of Procedure of the Assembly should be amended to specify that original Credentials must be presented in advance of

session of the Assembly, and to request the Advisory Committee to consider this matter and make recommendations to the next session of the Assembly.

Assembly/19 noted that, under Rule 5(b)(3) of the Rules of Procedure of the Assembly, admission of an organization as observer may be limited to a particular meeting or agenda item. The Director indicated that observers may also be invited to meetings of the Advisory Committee, as appropriate. The Assembly requested the Advisory Committee to consider this in the context of its review of the Rules of Procedure requested at the Eighteenth Session of the Assembly.

### 3.2 **Proposed action**

The Director has reviewed the text of the current Rules of Procedure for the Assembly in the light of discussions at the Assembly, and has made suggested amendments as set out in **Annex II**.

The Director proposes that this document is **not** discussed at this session but that members of the Committee review this document over the next few months with a view to making any proposals for further refinement at the next session of the Committee before submission to the next regular Session of the Assembly in the last quarter of 2008.

The Director also proposes that this matter be included in the work programme for the Committee, as discussed in document AC/19/8.2.

## 4 **FUNCTIONS OF THE IMSO DIRECTOR**

### 4.1 **Assembly decisions**

Assembly/18 approved amended functions for the IMSO Director and requested the Advisory Committee to make further revisions in the light of decisions taken at that session of the Assembly.

### 4.2 **Background and Proposed Actions**

The functions were originally approved at the Fourteenth (Extraordinary) Session of the Assembly in 1999, just before the date of privatization. Much of the text is therefore imprecise. Further amendments may be needed on issues related to LRIT functions.

The Director has reviewed the text of the current Rules of Procedure for the Assembly in the light of discussions at the Assembly, and has made suggested amendments as set out in **Annex III**.

The Director proposes that this document is **not** discussed at this session but that members of the Committee review this document over the next few months with a view to making any proposals for further refinement at the next session of the Committee before submission to the next regular Session of the Assembly in the last quarter of 2008.

The Director also proposes that this matter be included in the work programme for the Committee, as discussed in document AC/19/8.2.

## 5 LONG RANGE IDENTIFICATION AND TRACKING OF SHIPS (LRIT)

### 5.1 Assembly actions

Assembly/19 noted a presentation on LRIT and noted that the Director will continue to refine the Budget for LRIT, will endeavour to find appropriate sources of funding for the start up of LRIT, and will report on a regular basis to the Advisory Committee on all aspects of LRIT.

### 5.2 Proposed Action

A submission has been prepared for IMO MSC 83 for review by the Advisory Committee under item 6 of the Agenda for this Session of the Committee  
**“ANALYSIS AS TO HOW IMSO INTENDS TO UNDERTAKE THE ROLE OF LRIT CO-ORDINATOR, BASED ON THE PERFORMANCE STANDARD, TECHNICAL SPECIFICATIONS AND OTHER PUBLISHED REQUIREMENTS OF IMO**

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## PROPOSED REVISIONS TO THE TERMS OF REFERENCE FOR THE ADVISORY COMMITTEE

### 1 ADVISORY COMMITTEE

1.1 The Advisory Committee is established by the Assembly on a permanent basis, to carry out, on behalf of and under delegation from the Assembly, the tasks set forth in these Terms of Reference.

1.2 The Advisory Committee shall consist of representatives from [fifteen] Parties, elected by each Session of the Assembly, taking into account the need for full geographical representation, **for rotation**, and for continuity of membership.

1.3 The Committee shall appoint its own Chairman **and Vice-Chairman**.

### 2 TASKS

2.1 The Committee shall consult with the Director and give its guidance and advice to the Director on the following matters:

(a) preparation by the Director of the annual budget of the ~~Secretariat~~ **Directorate**, and accounting and auditing procedures;

(b) **to be amended in the light of the Reference PSA after IMO finalization of Resolution A.888**

any proposed action by the Director to convene an extraordinary general meeting of ~~the Holdings Company~~ **Inmarsat Group Holdings** or to initiate arbitration or judicial proceedings in the event of any alleged breach by ~~the Companies~~ **Inmarsat** of ~~their~~ **its** obligations under the PSA, provided that if the Committee so requests, or the Director so decides, the Director shall convene an extraordinary session of the Assembly to authorize appropriate enforcement action;

- (c) ~~determination by the Director of the staffing structure of the Secretariat~~ **Directorate**, and standard terms of employment of ~~Secretariat~~ **Directorate** staff, and the Staff Rules;
- (d) any other matters delegated by the Assembly; and
- (e) any other matters on which the Director identifies a need to consult the Advisory Committee on a case-by-case basis.

**2.2 to be amended in the light of the Reference PSA after IMO finalization of Resolution A.888**

The Committee shall approve the regular report of IMSO to the IMO envisaged in Article 4.3 of the Public Service Agreement (PSA), prepared and submitted by the ~~IMSO~~ Director.

2.3 The Committee shall agree the annual budget, and **seek to** resolve any **related** issues **and submit comments thereon to the Director** ~~regarding the annual budget which may be submitted by the Company.~~

2.4 The Committee shall review the Audited Annual Financial Statements of the Organization, and submit ~~a report~~ **any comments** thereon to the **Director** Assembly.

### **3 WORKING METHODS**

3.1 The Rules of Procedure for the Assembly shall *mutatis mutandi* apply to the Advisory Committee, **except that a quorum for meetings for the Advisory Committee shall be [seven] countries.**

3.2 The Committee shall determine its own working procedures, including the frequency and location of its meetings.

3.3 The Director is requested to provide such practical assistance to the Committee as may be necessary. In arranging its work and holding meetings, the Committee shall endeavour to minimise costs to the extent possible.

#### 4 **COSTS**

Costs associated with all travel, accommodation and subsistence of the members of the Committee at their meetings shall be borne by their respective Parties.

#### 5 **REPORTING TO PARTIES AND TO THE ASSEMBLY**

On behalf of the Committee, the Chairman shall, through the Director, send regular reports to Parties on the results of its work, and shall also submit a report thereon to the Assembly.

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**PROPOSED REVISIONS TO THE  
RULES OF PROCEDURE FOR THE ASSEMBLY**  
(approved at the Twelfth Session of the Assembly  
and amended at the Sixteenth Session of the Assembly)

**PART I:       SESSIONS**

**Rule 1:       Regular Sessions**

Regular sessions of the Assembly shall be held once every two years. Each session shall determine, **if possible**, the date of the next session.

**Rule 2:       Extraordinary Sessions**

- (a) The Director shall convene an extraordinary session of the Assembly upon the request of one or more Parties which receives the support of one-third of the Parties including the requesting Party or Parties. Requests for extraordinary sessions shall state the purposes for which the session is required and shall be addressed in writing to the Director.
- (b) The Director shall immediately circulate a request from a Party or Parties among the remaining Parties to ascertain whether it has the required support.
- (c) Extraordinary sessions shall be held as soon as possible, but not sooner than thirty (30) days after the required support has been received for a request from a Party or Parties.
- (d) The Director may also convene an extraordinary session on his or her own initiative, after consultation with the Chairman and one of the Vice-Chairmen, on not less than thirty (30) days' notice to Parties.

**Rule 3:       Place of Meetings**

Regular and extraordinary sessions shall be held in the vicinity of the Organization's headquarters, unless the Assembly decides otherwise. No meeting shall be held elsewhere unless the prospective host agrees to defray the additional expenditure involved.

## **PART II: PARTICIPANTS**

### **Rule 4: Delegates**

Each Party may designate as its delegates one representative and such alternates and advisers as it deems necessary.

### **Rule 5: Observers**

The Director shall invite as observers to any session or meeting:

- (a) representatives of States which have notified to the Director their intention to become Party;
- (b) international organizations with interests in common with the International Mobile Satellite Organization which the Assembly has decided to invite, subject to the following criteria and procedures:
  - (1) requests for admission as Observer shall be submitted through the Director who shall provide the Assembly with relevant information about the purposes, activities, structure and membership of the organization concerned;
  - (2) in deciding upon such a request, the Assembly shall take into account, *inter alia*, all or any of the following considerations:
    - (i) the organization is one with which the International Mobile Satellite Organization has an obligation to cooperate pursuant to Article ~~43~~ **15** of the Convention or any other provision of the Convention;
    - (ii) the organization is one with which the International Mobile Satellite Organization has concluded an Agreement of Cooperation or other working arrangement providing, *inter alia*, for participation of each organization in meetings or organs of the other comparable to an Assembly of Parties;
    - (iii) the organization's purposes and activities are concerned, *inter alia*, with **maritime safety and security, or with space**

radiocommunication technology or systems, or with regulation and coordination of the radio frequency spectrum, or any other aspect of space radiocommunication that may constitute a matter of common interest with the International Mobile Satellite Organization;

- (iv) the participation of the organization as observer would be of benefit to the Assembly in the discharge of its functions; and
- (3) admission of an organization as observer may be limited to a particular meeting or agenda item.

**Rule 6: ~~Chairman of the Board of the Company~~  
Providers**

The Chairman of the Board of ~~the Company~~ **each Provider** as referred to in Article 1(~~bc~~) of the Convention on the International Mobile Satellite Organization, or his representative shall be invited to attend sessions, without right to vote, on matters arising under the Public Services Agreements, subject to the approval of the Assembly.

**Rule 7: Credentials**

Credentials of delegations of Parties and observers shall be transmitted to the Director in advance of each session.

**Credentials are acceptable only in original form and signed by or on behalf of either the Head of State, or Prime Minister or Minister of Foreign Affairs, or alternatively, by the Minister of Communications or equivalent Minister on behalf of the Party.**

**Original Credentials must be submitted to the Director at least one week in advance of the opening of sessions of the Assembly.**

**The Assembly shall elect a Credentials Committee at each Session of the Assembly, composed of five representatives, ensuring regional representation. The Credentials Committee shall appoint its own Chairman. The Credentials Committee shall be examined by a the Credentials submitted Committee elected by the Assembly at the first meeting of each session. The**

~~Committee~~ **and** shall report to one of the immediately succeeding meetings of **that session of** the Assembly.

### **PART III: AGENDA AND DOCUMENTATION**

#### **Rule 8: Regular Sessions**

- (a) Each Party, **and** ~~the Director and the Chairman of the Board of the Company~~ may propose items for inclusion on the agenda of a regular session. Proposals shall be received by the Director forty (40) days before the beginning of the session. Each proposal shall be in writing, and shall state the nature of the proposal and the reasons why it should be considered at the session.
- (b) The Director shall assemble and coordinate the proposals received into a provisional agenda which shall also include all matters which the Convention and these Rules require the Assembly to consider. The Director shall communicate the provisional agenda to all Parties and observers at least 30 days before the beginning of the session.
- (c) The Assembly shall adopt the agenda by a simple majority. Urgent items may be added to the agenda by a two-thirds majority at the time of adoption of the agenda or later in the session.

#### **Rule 9: Extraordinary sessions**

The agenda of an extraordinary session shall be restricted to the purposes for which the session was convened, except that urgent items may be added by a two-thirds majority at any time.

#### **Rule 9 bis: Documentation**

**The Director shall endeavour to ensure that documentation is issued at least four weeks before regular and extraordinary sessions of the Assembly. Parties wishing to submit documents shall endeavour to ensure that they are received by the Director at least six weeks before Assembly sessions.**

## **PART IV: OFFICERS**

### **Rule 10: Regional Representation**

**The Assembly shall ensure that, in the election of Chairman and Vice-Chairmen of the Assembly, membership of the Credentials Committee and of the Advisory Committee, regional representation is taken into account. For this purpose, the membership of the Organization is assumed to be grouped into four regions: Africa, the Americas, Asia-Pacific and Europe.**

**The Chairman and Vice-Chairmen of the previous Session of the Assembly will be responsible, if available, for coordinating regional activities at the subsequent session.**

### **Rule 10 bis: Chairman and Vice-Chairmen of the Assembly**

At the first meeting of each regular or extraordinary session, the Assembly shall elect a Chairman and three Vice-Chairmen from among the representatives of the Parties, **ensuring regional representation**. They shall assume office immediately and shall remain in office until the election of their successors at the next regular or extraordinary session.

### **Rule 11: Temporary Chairman**

**At the opening of a session of the Assembly**, the Chairman of the preceding session or, if he is unable, one of the Vice-Chairmen or, if they are also unable, the Director, shall act as Chairman until a new Chairman has been elected,

### **Rule 12: Election**

If an officer is not elected by acclamation, the election shall be held by secret ballot by a simple majority vote taken as follows:

- (a) The Secretary shall collect the ballots and, together with two tellers appointed by the Assembly by a simple majority vote, count the votes in the presence of the Assembly.

- (b) If two or more candidates obtain an equal number of votes a further ballot shall be held with respect to these candidates only. If the votes are again divided equally, the Chairman shall decide by drawing lots.
- (c) If there are more than two candidates and none of them obtain a simple majority, a new ballot shall be held between the two candidates who obtained the largest number of votes. If the votes for second place are equally divided a new ballot shall be held between the candidates obtaining the largest number of votes and those in second place. If no candidate obtains a majority on the second ballot, a third ballot shall be held between the candidate obtaining the largest number of votes and one of the candidates in second place drawn by lots by the Chairman.

**Rule 13: Chairman's Absence or Inability to Function**

If the Chairman is absent, one of the Vice-Chairmen or, if all are absent, a person elected by the Assembly by simple majority, shall assume the responsibilities of the Chairman.

**Rule 14: Chairman's Voting**

- (a) The Chairman or the acting Chairman of the Assembly shall not vote.
- (b) The Chairman of a subsidiary organ may vote for his delegation unless he has designated another member of his delegation to do so.

**New PART IV bis: ADVISORY COMMITTEE**

**New Rule 14 bis: Advisory Committee**

**At each regular Session, the Assembly shall appoint an Advisory Committee consisting of representatives from at least [fifteen] Parties, taking into account the need for full geographical representation, and for continuity of membership.**

**The Advisory Committee shall carry out, on behalf of and under delegation from the Assembly, the tasks set forth in the Terms of Reference approved at the Fifteenth Session of the Assembly, as revised from time to time.**

## **PART V: CONDUCT OF BUSINESS**

### **Rule 15: Quorum**

A quorum shall consist of:

- (a) in the case of plenary meetings, a majority of the Parties present at the meeting;
- (b) in the case of meetings of subsidiary organs open to all Parties, a majority of the Parties represented at the session, **except that the quorum for meetings of the Advisory committee shall be [seven] countries;**
- (c) in the case of any organ of restricted membership, a majority of the members of that organ.

**At the commencement of the first meeting of an Assembly Session, the Secretary will announce whether or not a quorum is present. That quorum shall remain valid throughout that session.**

### **Rule 16: Public and Private Meetings**

- (a) Meetings of the Assembly or any of its subsidiary organs shall not be open to the general public or press, unless the Assembly decides otherwise.
- (b) The Assembly and its subsidiary organs may decide to limit attendance to any meeting to Parties only. In that case, only members of delegations may receive documents relating to such a meeting unless decided otherwise.

### **Rule 17: Responsibilities of the Chairman**

- (a) The Chairman shall exercise the powers of his office in accordance with customary practice. He or she shall remain under the authority of the meeting.
- (b) The Chairman shall open and close the meetings, direct the deliberations, ensure that these Rules are applied, give the floor to speakers, put questions to the vote and announce decisions adopted.

- (c) The Chairman shall ensure that discussion is confined to the point at issue. He may interrupt any speaker who departs therefrom.

**Rule 18: Procedural Motions**

- (a) Speakers on procedural motions and points of order shall be given priority over speakers on the substance, but may not then deal with the substance of the matter under discussion.
- (b) The following motions shall have precedence, in the order indicated below, over all other proposals or motions:
  - (1) to suspend a meeting;
  - (2) to adjourn a meeting;
  - (3) to adjourn the debate on the question under discussion;
  - (4) to close the debate on the question under discussion.

Permission to speak shall be granted only to one speaker in favour of the motion in addition to the proposer and to two speakers against, after which it shall immediately be put to the vote.

- (c) During the discussion of any matter a delegate may raise a point of order. The Chairman shall immediately decide the point of order in accordance with these Rules.
- (d) A delegate may appeal against a ruling of the Chairman. The appeal shall be put to the vote and the Chairman's ruling shall stand unless overruled by a simple majority.



**Rule 19: Substantive Proposals**

- (a) Substantive proposals shall normally be presented in writing at least 24 hours before their consideration at any meeting.
- (b) A proposal may be withdrawn by its author before voting on it has begun if no amendments have been made by other delegates. The proposal may be reintroduced at any time by any delegate.

**Rule 20: Reconsideration**

When a proposal has been adopted or rejected it may not be reconsidered at the same session unless the Assembly by a two-thirds majority decides in favour of reconsideration. Permission to speak on a motion to reconsider shall be accorded only to one speaker in favour of the motion in addition to the proposer and to two against, after which it shall immediately be put to the vote.

**Rule 21: Speeches**

- (a) No delegate may speak without permission of the Chairman. Speakers shall be called upon in the order in which they request the floor.
- (b) During the discussion, the Chairman may read the list of speakers and declare the closure of that list. Nevertheless, he or she may grant the right of reply to any delegate when an intervention made after the closure of the list of speakers makes it necessary.
- (c) The Chairman may limit the time given to each speaker or the number of speeches by each delegation on a given question. When the debate is restricted and a delegate exceeds the time granted the Chairman shall call the speaker to order.

**Rule 22: Records**

- (a) The Director shall prepare reports of plenary meetings and of such committee meetings as the Chairman of the Assembly may determine. The reports shall contain:
  - (1) the record of decisions taken during the session;

- (2) a summary of the discussions; and
  - (3) statements submitted by representatives in accordance with paragraph (b).
- (b) Individual representatives wishing to include in the reports statements made during the discussion shall, before the end of each meeting, submit the complete texts to the Director.
- (c) The reports, which shall cover the work of each meeting, shall be approved by the Assembly before the end of the session, and shall be the only official record of the Assembly's proceedings.

## **PART VI: VOTING**

### **Rule 23: Majority Required**

- (a) Each Party shall have one vote in the Assembly.
- (b) Decisions on matters of substance shall be taken by a two-thirds majority, and on procedural matters by a simple majority.
- (c) Decisions whether a question is procedural or substantive shall be made by the Chairman. His decisions may be overruled by a two-thirds majority.
- (d) Simple and two-thirds majorities are always calculated on the basis of the Parties present and voting. Parties which abstain from voting shall be considered as not voting.

### **Rule 24: Method of Voting**

- (a) Unless technical means are used, or the vote is taken by secret ballot in accordance with paragraph (b), votes shall be taken by a show of hands or, if any delegate so requests, by roll call. Roll calls shall be taken in the alphabetical order of the English names of the Parties, beginning with the Party chosen by the Chairman by random.

- (b) Voting shall be by secret ballot when at least three delegations so request.

**Rule 25: Interruption of the Voting**

After the Chairman has announced the beginning of a vote, no delegate shall interrupt the voting except on a point of order in connection with the actual conduct of the voting. Delegates may explain their votes after the voting, except when the vote is secret. The Chairman may limit the time to be allowed for such explanations.

**Rule 26: Voting Upon Parts of a Proposal**

- (a) A delegate may move that part of a proposal or of an amendment shall be voted on separately.
- (b) If objection is made to the request for division, the motion for division shall be voted upon. Permission to speak on the motion for division shall be given only to one speaker in favour in addition to the proposer and two speakers against.
- (c) If the motion for division is carried, those parts of the proposal or of the amendment which are subsequently approved shall be put to a vote as a whole.
- (d) If all operative parts of the proposal or the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

**Rule 27: Order of Voting on Amendments**

- (a) When an amendment is moved to a proposal, the amendment shall be voted on first. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of the proposal.
- (b) When two or more amendments are moved to a proposal, the Assembly shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on until all amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote.

- (c) If one or more amendments are adopted, the proposal as amended shall then be voted upon.

**Rule 28: Order of Voting on Proposals**

Several proposals relating to the same question shall be put to the vote in the order in which they are received, unless otherwise decided. After each vote the meeting may decide not to vote on the other proposals. If there are more than two proposals, an indicative vote may be held first.

**Rule 29: Equally Divided Votes**

If on any issue, other than elections, the votes are equally divided, a second vote shall be taken to a subsequent meeting, which should be held not later than 48 hours after the first vote. If in the second vote the votes are again equally divided, the proposal is regarded as rejected.

**PART VII: MISCELLANEOUS**

**Rule 30: Languages**

- (a) The official languages of the Assembly are English, French, Russian and Spanish. The working language is English.
- (b) Speeches made in any of the four official languages shall be interpreted into the three other official languages.

**Rule 31: Amendment of the Rules**

The Assembly may amend these Rules by a two-thirds majority. Proposals for amendment shall be considered only at regular sessions and only if they have been included in the provisional agenda in accordance with Rule 8(a).

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**REVISED FUNCTIONS FOR THE DIRECTOR OF THE  
INTERNATIONAL MOBILE SATELLITE ORGANIZATION  
APPROVED BY THE ASSEMBLY**

(paragraph 8.5.2 and Annex XII of the Record of Decisions of the Eighteenth  
Session of the Assembly refer)

In accordance with Article **11** of the ~~amended~~ Convention, the Director shall act as legal representative of the Organization and Chief Executive Officer of the ~~Secretariat~~ **Directorate**, with responsibility to and under the direction of the Assembly, to service the activities of the Assembly in the performance of its functions as set forth in Article **10** of the ~~amended~~ Convention and, in particular, to perform or oversee the following tasks subject to paragraph (xvi) below:

- (i) Review on a regular basis the relevant activities of ~~the national corporate entities ("the Companies") through which the Inmarsat satellite system will be owned and operated,~~ **Providers** to ensure that their obligations under their Public Services Agreements are being observed.
- (ii) Prepare a report of the Organization to the IMO envisaged in **Clause Article** 4.3 of the Public Services Agreement **between the Organization and Inmarsat** in conformity with ~~a the~~ concept ~~to be~~ developed by the Advisory Committee. Submit such Report for approval to the Assembly and/or to the Advisory Committee as defined in the Terms of Reference of the Committee.
- (iii) Report **on** at least ~~every six months~~ **an annual basis** to Parties and the Assembly on all activities of the ~~Secretariat~~ **Directorate**, and on the review of ~~the Companies~~ **Providers** referred to in item (i), ~~with the main elements to be translated into the French, Russian and Spanish languages.~~
- (iv) Participate in the Public Services Committee, ~~to be~~ established pursuant to Clause 4.1 of the Public Services Agreement, and represent the Organization in the exercise of its rights as Special Shareholder under the Articles of Association of the **Inmarsat Holdings Ltd Company**.
- (v) Implement enforcement procedures under the Public Services Agreement on the Organization's behalf in the event of any breach of the obligations of ~~the Companies~~ **Providers** thereunder, including any arbitration or other enforcement action.

- (vi) Represent the Organization at meetings of IMO dealing with the Safety of Life at Sea Convention, including GMDSS, other maritime safety **and security** matters, and regular consultation and cooperation with IMO.
- (vii) Represent the Organization at meetings of other organizations, including ITU, ICAO and **other UN international and** regional bodies on matters of relevance to the Organization's purposes, and consultation and cooperation with such entities as necessary.
- (viii) Travel to meetings outside the Headquarters State, and to member countries for consultations, as necessary.
- (ix) Convene and organize Assembly sessions, in accordance with Article **8(2)** of the ~~Amended~~ Convention.
- (x) Prepare the annual budget of the ~~Secretariat~~ **Directorate**, and **implement and operate agreed** accounting and auditing procedures.
- (xi) Determine the staffing structure of the ~~Secretariat~~ **Directorate**, including ~~a limited number of~~ **and engage** professional and general service posts in the ~~Secretariat~~ **Directorate** for the purpose of carrying out the functions described in ~~this Annex~~ **herein, taking into account**, in particular, ~~if appropriate~~
  - ~~a technical officer, the recommendation of the Third Session of the International Maritime Organization's (IMO) Sub-Committee on Radiocommunications, Search and Rescue (COMSAR) (23-27 February 1998) relating to Inmarsat's Restructuring that "IMO is of the opinion that it should be clearly stated in the relevant Inmarsat document that at least one senior member of the Secretariat should have expertise in all aspects of the GMDSS, including its technical operation and be well versed in the needs of seafarers and maritime search and rescue services."(COMSAR.3/WP/4, Annex).~~
  - ~~an administrative assistant or senior secretary~~
- (xiii) Draw up Staff Rules, salary scales and other standard terms of employment, as appropriate for the ~~Secretariat~~ **Directorate**.

- (xiv) Manage the ~~Secretariat~~ **Directorate**, including supervision of other staff.
  - (xv) Consult with, and obtain the guidance and advice of the Advisory Committee ~~established by the Assembly~~, on the following matters:
    - (a) preparation by the Director of the annual budget of the ~~Secretariat~~ **Directorate** and accounting and auditing procedures, **including the engagement of external accounting services for the purpose of supervision of accounting functions and preparation of annual accounts**;
    - (b) determination by the Director of the staffing structure of the ~~Secretariat~~ **Directorate** and standard terms of employment of ~~Secretariat~~ **Directorate** staff, and the Staff Rules;
    - (c) any proposed action by the Director to convene an extraordinary general meeting of ~~the Inmarsat Holdings Ltd Company~~ or initiate arbitration or judicial proceedings in the event of any alleged breach by the Companies of their obligations under the PSA, provided that if the Committee so requests, or the Director so decides, the Director shall convene an extraordinary session of the Assembly to authorize appropriate enforcement action.
    - (d) preparation of a regular report of the Organization to ~~the~~ IMO envisaged in Article 4.3 of the Public Service Agreement (PSA) **between the Organization and Inmarsat**, as set out in item (ii) above; and
    - (e) any other matters delegated by the Assembly.
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